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June 5, 2017

MEMO ENDORSED

BY ELECTRONIC MAIL

Hon. Ronnie Abrams
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
DOCUMENT
ELECTRONICALLY FILED

JUN 06 2017

Re: *United States v. Jason Galanis, et al., S1 16 Cr. 371 (RA)*

Dear Judge Abrams:

I represent Devon Archer, one of the defendants in the above-referenced case. I write to respectfully request the Court's permission for Mr. Archer to take a business trip to England. Your Honor has ten times previously granted Mr. Archer permission to travel internationally on business, which he has done without incident on each occasion, including to Italy, England, Spain, Latvia, Lithuania, Russia, Vietnam, China, Malaysia, Singapore, and the Philippines. As before, the Court's Pretrial Services Office consents to this request, but the Government objects.

The proposed trip would be from June 9-12 to London for meetings with two of Mr. Archer's business partners. As usual, Mr. Archer has provided an itinerary to his Pretrial Services Officer, who as noted consents to this request. A copy of Mr. Archer's proposed flight and lodging information is attached as Exhibit A, which we respectfully request to be filed under seal.

On ten prior occasions, the Court has permitted Mr. Archer to travel internationally for business. On each occasion, Mr. Archer returned on time and without incident. In addition, Mr. Archer has reported to Pretrial Services daily while away, and has executed and provided to the United States Attorney's Office an open-ended waiver of extradition, in the form requested by the Government, which covers not only his business trips but the entire duration of proceedings in this case. Specifically:

- On June 13, 2016, Your Honor permitted Mr. Archer to travel on business to Italy.
- On July 26, 2016, Your Honor permitted Mr. Archer and his wife, Dr. Archer, to travel on business to Latvia.
- On September 9, 2016, Your Honor permitted Mr. Archer to travel on business to China.

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- On October 17, 2016, Your Honor permitted Mr. Archer to travel on business to England and Lithuania. On October 21, 2016, Your Honor further granted permission for Mr. Archer to modify his itinerary to include business travel to Russia.
- On November 28, 2016, Your Honor permitted Mr. Archer to travel on business to England and Spain.
- On January 4, 2017, Your Honor permitted Mr. Archer to travel on business to Vietnam and China. On January 17, 2017, Your Honor further granted permission for Mr. Archer to modify his itinerary to include travel to the United Kingdom.
- On February 16, 2017, Your Honor permitted Mr. Archer to travel on business to Singapore, Malaysia, and the Philippines. Although Mr. Archer's wife did not travel with him, she was permitted to retain her passport because she had a separate international trip planned for the same time.
- On March 6, 2017, Your Honor permitted Mr. Archer to travel on business to Russia and London. Mr. Archer's wife and his oldest child were permitted to join him in London for that leg of his trip.
- On March 23, 2017, Your Honor permitted Mr. Archer to travel on business to the Philippines. On that occasion Mr. Archer's family did not surrender their passports because, although they did not travel with him, Mr. Archer's wife and children were out of the country on vacation at the same time.
- On May 9, 2017, Your Honor permitted Mr. Archer to travel on business to London.

In short, Mr. Archer has proven that he is no risk of flight. As we have previously explained, the evidence that Mr. Archer is not a flight risk is not limited to these ten prior international trips. In the interests of judicial economy, we will not repeat all of those reasons here, and respectfully refer the Court to our prior correspondence on this issue. *See* ECF Nos. 41, 62, 78, 83, 84, 98, 111, 122, 148, 162, 166, 179.

As before, if the Court permits him to travel, Mr. Archer will report daily to his Pretrial Services Officer while he is away.

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Thank you for your consideration of this request.

Respectfully,

/s/ Matthew L. Schwartz
Matthew L. Schwartz

cc: BY ELECTRONIC MAIL

AUSAS Brian Blais, Aimee Hector, and Rebecca Mermelstein
U.S. Pretrial Services Officer Andrew R. Kessler-Cleary

Application granted. Mr. Archer will report daily to his Pretrial Services Officer while he is away and his wife and young children shall surrender their passports to Pretrial Services while he is out of the country. The attached exhibit will be filed under seal as it contains private travel information.

SO ORDERED.



Ronnie Abrams, U.S.D.J.
June 6, 2017